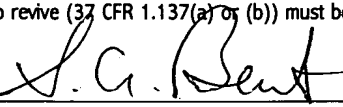


JC10 Rec'd PCT/PTO 21 APR 2005

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER  034144-0104
INTERNATIONAL APPLICATION NO. PCT/FI2003/000776		INTERNATIONAL FILING DATE 10/17/2003
TITLE OF INVENTION SOLUBLE RNA POLYMERASE PROTEIN AND METHODS FOR THE USE THEREOF		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unassigned 10/532053 PRIORITY DATE CLAIMED 10/02/2002
APPLICANT(S) FOR DO/EO/US Eugene MAKEYEV & Dennis BAMFORD		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <div style="margin-left: 20px;"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).  <input checked="" type="checkbox"/> has been communicated by the International Bureau.  <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)         </div> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <div style="margin-left: 20px;"> <input type="checkbox"/> is attached hereto.  <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).         </div> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <div style="margin-left: 20px;"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).  <input checked="" type="checkbox"/> have been communicated by the International Bureau.  <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.  <input type="checkbox"/> have not been made and will not be made.         </div> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Assertion of Small Entity Status, Preliminary Examination Report PCT/IPEA/409</li> </ol>		

JC12 Rec'd PCT/PTO 21 APR 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Unassigned <b>16/532053</b>		INTERNATIONAL APPLICATION NO. PCT/FI2003/000776		ATTORNEY'S DOCKET NUMBER 034144-0104	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/>	Basic national fee	\$300		\$	300.00
22. <input checked="" type="checkbox"/>	Examination fee			\$	200.00
If International preliminary examination report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4)		\$100			
All other situations		\$200			
23. <input checked="" type="checkbox"/>	Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared and provided to the Office		\$400			
All other situations		\$500		\$	500.00
TOTAL OF ABOVE 21, 22 and 23 =				\$	1000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
95 - 100 =	0 /50 =	0	x \$250.00	\$	0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	40 - 20 =	20	x \$ 50.00	\$	1000.00
Independent Claims	5 - 3 =	2	x \$ 200.00	\$	400.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	2530.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				+	\$ 1265.00
SUBTOTAL =				\$	1265.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	1265.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	1265.00
				Amount to be refunded:	
				charged:	
<p>a. <input type="checkbox"/> A check in the amount of \$1265.00 to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$1265.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP					
Customer Number: 22428					
 SIGNATURE Stephen A. Bent NAME 29,768 REGISTRATION NUMBER Date: April 21, 2005					

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

Applicant: Eugene MAKEYEV et al.  
Title: SOLUBLE RNA POLYMERASE PROTEIN AND METHODS FOR THE  
USE THEREOF  
Int'l. Appln. No.: PCT/FI2003/000776  
Int'l. Filing Date: 10/17/2003  
Examiner: Unassigned  
Art Unit: Unassigned

ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.27(c)(1), Applicants hereby assert entitlement to small entity status in the above-identified application.

Respectfully submitted,

Date 21 April 2005

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768